

MINUTES

The Lexington Planning Commission
Thursday, April 25, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Pat Bradley, Chair
Present: John Driscoll
Jon Eastwood
Mary Stuart Harlow
Gladys Hopkins
Shannon Spencer, Vice-Chair
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

Chair Bradley called the meeting to order at 5:00 p.m.

AGENDA

The agenda was unanimously approved as presented. (S. Spencer / J. Eastwood)

MINUTES

The April 11, 2024 minutes were unanimously approved as presented. (J. Driscoll / L. Straughan)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. ZOA 2024-02: Annual Zoning Ordinance Amendments. Batch B – Mobile Restaurants.

- 1) Staff Report – A. Glaeser noted that the staff report contained the amendments to the Use Matrix and to the use and design standards for *Mobile Restaurants* developed at the last meeting, with the intent of allowing mobile restaurants to operate in Jordan's Point Park and the Brewbaker Field Sports Complex outside of special events. The amendment to the Use Matrix would allow mobile restaurants as a by-right use in the P-OS zoning district, with a note specifying the use would only be allowed in those two parks, and only with a written agreement with the City. The use and design standards were amended to reflect those conditions and to clarify proper trash disposal.
- 2) Public Comment - None
- 3) Commission Discussion & Decision – **S. Spencer moved to approve the zoning ordinance amendment for Mobile Restaurants as presented. J. Eastwood seconded and the motion passed unanimously. (7-0)** Director Glaeser said he would hold a work session with City Council on the zoning amendments recommended by the Commission before advertising them for a public hearing. The work session had not yet been scheduled, but he intended to brief Council on this amendment as well as those recommended by the

Commission as Batch A on March 28, 2024. This amendment would then be advertised with the others for a public hearing.

B. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report – A. Glaeser led the Commission through a slide show presentation as an introduction to Cottage Housing. He reminded the Commission of the Comprehensive Plan strategies that had provided direction for the amendments for the PD-MU zoning district and Accessory Dwelling Units, and he offered the Comprehensive Plan strategy to “explore modifying the City’s zoning regulations to facilitate the creation of a variety of ... housing types that achieve higher densities and a diversity of housing options” as informing the consideration of this amendment to allow Cottage Housing. He noted that each of these amendments was intended to be a nontraditional zoning tool that could help to address Missing Middle Housing - types of housing that have not been allowed by traditional zoning. Cottage Housing developments are groupings of small, single family dwellings clustered around a common area with internal pedestrian paths and parking corralled to the side or rear. They are characterized by increased density, smaller units, shared common areas, shared ownership, corralled cars, connected internal paths, porches facing the common area, and layered spaces from public to private fostering an increased sense of community. They are typically structured similarly to condos, with HOAs to oversee/maintain the common areas and buildings. The presentation included sketches and photographs of examples of existing Cottage Housing developments around the country, as well as a concept plan that was completed for a lot on Thornhill Road in Lexington. Director Glaeser explained a cottage housing development would differ from the Weatherburn PUD in that the dwellings would be smaller and oriented inward, toward the common area, rather than toward the street. Also cars would largely be out of view and the development itself would contain many fewer units. He said the benefits associated with cottage housing include increased housing supply, increased housing variety, increased sense of community within the development, and increased housing affordability, provided the regulations do not impose too much design detail. He offered some policy questions to consider as the ordinance is being developed which included: maximum size, parking details, the degree to which cottage design would be regulated, and how cottage housing should fit into adjacent single family development. The final slides showed views of a cottage housing development in Langley, Washington which is located on a parcel that shares very similar dimensions with two specific vacant properties in Lexington. Maps of the Lexington parcels were provided for context.
- 2) Public Comment – None
- 3) Commission Discussion – S. Spencer voiced concern about how a cottage housing development might interact with or detract from its surrounding neighborhood, both visually and an in transition from public to private space. Responding to G. Hopkin’s concern that there might be inadequate parking, P. Bradley remarked that this form of development was intended to support fewer cars and greater walkability. J. Driscoll believed it would be helpful to keep minimum lot size in mind. Citing an example from Seattle, he said it was possible that cottage housing developments could be located in more

places than was immediately apparent. P. Bradley stressed that it would be important to keep the public informed and involved in the process. J. Eastwood commented that even a small number of cottage housing projects would result in a non-trivial number of new units. He expressed enthusiasm for the endeavor. Director Glaeser pledged to provide the Commission with the Cottage Housing ordinance from Winchester at the next meeting.

OTHER BUSINESS

None

CITY COUNCIL REPORT -

L. Straughan reported that City Council's April 18th meeting was City Manager Jim Halasz's last meeting prior to his retirement, and that Finance Director, Jen Bell, would act as interim City Manager until the new City Manager, Tom Carroll, began on May 20th. Also, Council adopted the 2025 budget and CIP but made no decision on Echelon's request for a tax abatement.

ADJOURN

Much to the dismay of all those present, P. Bradley announced he would not continue as a Planning Commissioner after the end of his term in July. The meeting was adjourned at 6:06 p.m. with unanimous approval. (M. S. Harlow / S. Spencer)

P. Bradley, Chair, Planning Commission

MINUTES

**The Lexington Planning Commission
Thursday, May 9, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Pat Bradley, Chair
Present: John Driscoll
Jon Eastwood
Gladys Hopkins
Shannon Spencer, Vice-Chair
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

Absent: Mary Stuart Harlow

CALL TO ORDER

Chair Bradley called the meeting to order at 5:00 p.m.

AGENDA

The agenda was unanimously approved as presented. (S. Spencer / G. Hopkins)

MINUTES

A motion by J. Driscoll to approve the April 25, 2024 minutes as presented died for lack of a second after S. Spencer pointed to a verb tense on the second page in need of correction. The minutes were then unanimously approved as amended by S. Spencer. (J. Driscoll / S. Spencer)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion – A. Glaeser explained he was providing visual renderings of two existing cottage housing developments to help the Commission keep in mind what it was working toward – smaller units, higher density, corralled parking and a shared common area. He also provided an article about the Railroad Cottages development in Falls Church as an example of this type of development being used successfully as infill on an oddly shaped parcel. He suggested the Falls Church regulations might provide a useful comparison after the initial review of the regulations from Winchester. He then led the Commission through the Cottage Housing Development Design Standards from Winchester. He encouraged the Commission to pay particular attention to the structure of the ordinance and to weigh in with preferences. Discussion highlights were as follows:

- **PURPOSE AND INTENT** – A. Glaeser noted this section of the Winchester code was lengthy, not unlike the Purpose section adopted for ADUs. S. Spencer said she found Winchester’s purpose section to be particularly helpful.
- **DENSITY, NUMBER OF UNITS AND MINIMUM LOT AREA** – A. Glaeser remarked that he found the inclusion of this type of table to be helpful. For reference, he noted that in three of the zoning districts in which cottage housing is allowed in Winchester, it is as a conditional use. J. Driscoll said the Commission would need to identify which zoning districts in Lexington would be appropriate for this type of development and he encouraged the Commission to be thoughtful about appropriate scale. Using the lots on the corner of Houston and Walker Streets as an example, there was discussion comparing the number of units that would currently be allowed on the property against the number that could be allowed with a cottage housing development. A. Glaeser acknowledged that he had learned from the Winchester Planning Director that the Winchester ordinance was adopted in 2011 but has never been implemented. The Winchester Planner’s observations were that they have a PUD district that is more popular, and that while the cottage housing amendment had good intent and some very good building design provisions, it was poorly calibrated with respect to how much space it would take to accommodate the needed building footprints, green space, stormwater management, emergency access and off street parking. A. Glaeser noted that Lexington had no competing residential PUD district, but that care would need to be taken when developing formulas for density, number of units and lot area requirements. He responded to a question from L. Straughan by saying that standards for a more traditional residential PUD district could be considered if desired, but that they should not be conflated with cottage housing – that they should be separate tools for higher density housing. He said cottage housing could be implemented either as a CUP or as its own, specific PUD, but that the cottage housing development model, if pursued, should be thought of as a package and not watered down. L. Straughan wondered if a more traditional PUD with more design standards might provide greater flexibility. Following discussion of which zoning districts would be appropriate for cottage developments, there was consensus that they should be allowed in the R-1, the R-LC and possibly the R-2 districts.
- **EXISTING NONCONFORMING STRUCTURES AND ACCESSORY TWO-FAMILY DWELLING UNITS** – A. Glaeser pointed out that this was similar to the section dealing with nonconformities in the ADU ordinance.
- **BUILDING HEIGHT** – Typically cottage dwellings are 1 or 1 ½ story units. A. Glaeser noted Winchester’s requirements concerning the pitch of the roof tend to result in more attractive structures, but can also lead to greater expense and would preclude modern design.
- **VARIATIONS IN BUILDING DESIGN** – A. Glaeser reminded the Commission that regulations requiring greater design detail typically lead to a more expensive product. P. Bradley suggested articulation would likely be a detail worth

encouraging in order to make the street-facing elevations more visually interesting. There was some hesitation about the degree to which Winchester restricted acceptable building materials. P. Bradley cautioned that there had to be some consideration of price point. L. Straughan agreed, saying the result, while attractive, may be counter to what was trying to be accomplished. S. Spencer contended that design standards could be crafted in such a way as to lessen the visual impact of less expensive materials rather than restricting the materials outright.

- **COVERED MAIN ENTRY PORCHES** – A. Glaeser noted private entry porches are used as a transitional space between the private interior and the shared public outdoor space. S. Spencer pointed out that the ordinance should specify whether or not the porch area is included in a unit’s overall maximum square footage.
- **STREET-FACING FACADES** – This section reinforces the objective that the development contribute to the neighborhood with attractive design.
- **LOT COVERAGE AREA** – A. Glaeser reminded the Commission that Lexington does not have regulations governing maximum lot coverage, though low impact stormwater features could be required or encouraged in the standards for cottage housing. J. Driscoll voiced support for including a minimum landscape requirement similar to Winchester’s. L. Straughan questioned whether something similar could be achieved through setback and open space requirements. A. Glaeser commented that another jurisdiction’s ordinance was very specific about what counted toward the required open space. He said staff would find examples from other jurisdictions for comparison.
- **COTTAGE FLOOR AREA** – A. Glaeser noted the compact footprint and 1 ½ story maximum height of the Winchester cottages was in keeping with the Third Street Cottages in Langley, Washington, one of the examples of an existing cottage development. L. Straughan pointed to the language stating the units are intended for one or two person households, saying the Commission should be clear about the size of household being designed for.
- **YARDS – BUILDING SETBACK FROM EXTERIOR LOT LINES** – A. Glaeser noted the setbacks listed in this section are not dissimilar to the setbacks in the R-1 zoning district.
- **COTTAGE HOUSING DEVELOPMENT BUILDING SEPARATION** – Winchester requires a minimum of 12 feet of separation within the development from cottage to cottage. A. Glaeser noted the building code requires a minimum of 10 feet of separation between buildings.
- **COMMON OPEN SPACE** – This section requires a minimum area of open space per cottage as well as proximity and ease of access from the cottages to both the open space and parking.
- **PRIVATE OPEN SPACE** – As is typical with cottage developments generally, Winchester’s ordinance requires each dwelling to have a private outdoor space. A. Glaeser explained his understanding of ownership as consisting of ownership

of the dwelling's footprint, a small private yard and a share of the development's common area.

- **TREE CONSERVATION** – Lexington's Tree Ordinance does not require approval for the removal of trees in residential areas. If language encouraging tree conservation is included in the eventual ordinance, attention should be paid to *should* vs. *shall*.
- **OFF-STREET PARKING** – A. Glaeser said he especially liked the inclusion of drawings providing examples of how to configure the corralled parking.
- **FIRE- LANE ACCESS AND TURNAROUND PROVISIONS** – A. Glaeser voiced concern that the specific standards included in this section of the Winchester code were onerous if not impossible given the minimum lot size being considered. He assured the Commission that the final text would be reviewed by the Fire Marshal, Building Official and Public Works Department to ensure life safety standards are met.

Director Glaeser offered to provide the Falls Church ordinance at a future meeting for comparison. P. Bradley said he thought the Winchester ordinance was thoughtfully put together and worked well as a comprehensive unit. He recommended using it as a model and tweaking the details as needed. Commissioners Spencer and Driscoll agreed. J. Eastwood suggested having details specific to places where cottage housing has been successfully implemented would be helpful. Following additional discussion, A. Glaeser said staff would work on creating tables and visual aids to assist in future discussions about density.

2) Public Comment – None

OTHER BUSINESS

A. Zoning and Planning Report – Director Glaeser reported he had received the updated maps for the Comprehensive Plan amendment relative to the designations of a number of properties along Maple Lane. He indicated the amendment would be advertised in the near future.

CITY COUNCIL REPORT -

L. Straughan reported that Council did not discuss the Echelon tax abatement request at its May 2nd meeting; she anticipated discussion and possible action on the proposal at the next meeting. She added that this week was Municipal Clerks Week and next week would be Police recognition week. Also, the city would no longer recycle glass effective today.

ADJOURN

The meeting was adjourned at 6:15 p.m. with unanimous approval. (S. Spencer / J. Driscoll)

P. Bradley, Chair, Planning Commission

MINUTES

**The Lexington Planning Commission
Thursday, May 23, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Jon Eastwood
Present: John Driscoll
Mary Stuart Harlow
Leslie Straughan, Council Liaison

Absent: Pat Bradley, Chair
Gladys Hopkins
Shannon Spencer, Vice-Chair

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

Director Glaeser called the meeting to order at 5:03 p.m.

ELECTION OF TEMPORARY CHAIR

- 1) Nominations & Vote – **J. Driscoll nominated Jon Eastwood to serve as Temporary Chair. No other nominations having been made, Mr. Eastwood was elected by acclamation.**

AGENDA

The agenda was unanimously approved as presented. (L. Straughan / J. Driscoll)

MINUTES

The May 9, 2024 minutes were unanimously approved as presented. (J. Driscoll / L. Straughan)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. EC 2024-04: An application by Serdar Mumcu for approval of a Certificate of Appropriateness (COA) for new signage for Pack and Mail, LLC at 449 E. Nelson Street (Tax Map #30-1-9), owned by Andorra Properties, LLC.

- 1) Staff Report – This was a request for a new double-sided sign panel for Pack & Mail at 449 E. Nelson Street, located in the C-2 zoning district and Entrance Corridor overlay. Director Glaeser reminded the Commission of the wall sign and exterior improvements that were approved for this business's storefront earlier in the year and explained the subject request was to update the Pack & Mail panel in the freestanding multi-tenant sign at the entrance to the Rockbridge Square Shopping Center parking lot.
- 2) Applicant Statement – None
- 3) Public Comment – None

- 4) Commission Discussion & Decision – **L. Straughan moved to approve the Entrance Corridor Certificate of Appropriateness application EC 2024-04 for an illuminated, double-sided freestanding sign panel for the Pack & Mail business at 449 East Nelson Street as proposed by the applicant. M. S. Harlow seconded, and the motion passed unanimously. (4-0)** M. S. Harlow observed the multi-tenant entrance sign contained a panel for a business that no longer existed. She questioned whether the city has a role in assuring signage is relevant or whether that responsibility rests solely with the property owner. A. Glaeser said there is language in the Code that gives the city the authority to have a sign removed for a business that has been closed for two years. He added that, in this case, another tenant was working toward opening in that storefront and he anticipated an application for new signage would be submitted soon.

B. Request to defer CUP 2024-02: An application by John Adamson of Rockbridge Partners, LLC to renew a Conditional Use Permit allowing a portion of the building located at 2 South Main Street (Tax Map #23-1-194) and owned by Rockbridge Partners, LLC to be used as an assembly hall (i.e. *Public Assembly*).

- 1) Staff Report – At the April 25, 2024 meeting, at the applicant’s request, the Commission deferred its decision on this application for 60 days to give the applicant more time to consider his options in light of the expiration of deed restrictions requiring this use on the parcel. A. Glaeser reported the applicant was in the throes of a major development project across the street from this property, had not had an opportunity to adequately investigate this renewal, and was again requesting a deferral.
- 2) Applicant Statement – None
- 3) Public Comment – None
- 4) Commission Discussion & Decision – **L. Straughan moved to defer CUP 2024-02 until the Commission’s August 8, 2024 meeting. M. S. Harlow seconded, and the motion passed unanimously. (4-0)**

C. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion – At the May 9th meeting, the Commission reviewed the Winchester cottage housing regulations and agreed to use its structure as a model for the new cottage housing ordinance, while taking care to adjust the details for a greater likelihood of implementation. For this meeting, A. Glaeser provided an overview of the Railroad Cottages - a fully built-out and successful cottage housing development in Falls Church. He suggested it could be helpful to compare an actual development to the code that allowed it, especially with respect to such details as density, lot size, number of units and parking. He noted the development was allowed as a special exception (i.e. conditional use) and as part of a pilot program which allowed only one cottage development per year, though the program is currently being reassessed and extended. He said the aerial rendering was particularly valuable in depicting the development in the context of its immediate surroundings. He forewarned the Commission to expect a similarly significant contrast between the density of an infill cottage development in Lexington and that of its neighbors. He noted the Railroad Cottages, each at about 1,500 square feet, were larger than some cottage units, and the development itself, with less of a

cottage court and with units very close together, was also denser than others. Discussion yielded the following:

- Responding to a question from M. S. Harlow, Director Glaeser encouraged the Commission to consider whether attached, side-by-side units could be appropriate, particularly given that the owner of the property on the corner of Houston and Walker Streets had submitted a proposal that included duplex-style cottages.
- L. Straughan commented that there could be merit to accepting higher density in instances where the common space is well programmed for actual use.
- The minimum lot area in Falls Church is 45,000 square feet (equivalent of four lots for the zoning district), or slightly more than an acre. L. Straughan was concerned a minimum of one acre would lead to too few parcels in Lexington being available for cottage development and suggested using the equivalent of four R-1 zoned lots, or approximately 0.7 acre. J. Eastwood suggested another approach would be to determine a minimum number of cottages needed for a viable development and to then extrapolate for density to arrive at minimum lot size.
- A. Glaeser recommended including a provision, similar to the one in the Falls Church code, for sites occupied by historic structures.
- The maximum floor area (1,000 square feet on the main level and 1,500 square feet total) and maximum height (1 ½ stories or 25 feet) are fairly typical cottage standards.
- A. Glaeser suggested the sprinkler requirement, though an added cost, may allow for closer proximity of units. He assured the Commission that the Building Official and Fire Marshal would review and provide feedback on the proposed ordinance.
- Because Lexington has no lot coverage requirements, A. Glaeser encouraged the Commission to instead focus on standards for low impact design. L. Straughan and J. Eastwood suggested that lot coverage may also be less of an issue because of the common open space and setback requirements.

2) Public Comment –

Local architect Heidi Schweitzer appreciated the City's efforts in exploring the possibility of embracing cottage communities within the zoning code. She said it is a housing type needed in our community.

Max Ivankov of MaxMark Homes said cottage housing allows cities to increase density without sacrificing the quality of the existing housing stock. He supported extending as much flexibility as possible to the planning authorities so that any site might be considered. He recommended adopting sliding scale lot requirements rather than rigid minimums/maximums.

3) Commission Discussion –

L. Straughan asked Director Glaeser to confirm that the Falls Church requirement that “the entire site area of the development be located within 500 linear feet of a designated revitalization area” was in place only during pilot program and has now been expanded. J. Driscoll suggested getting in touch with the HOA for the Railroad Cottages to inquire about “lessons learned.” He added it would also be helpful to know about ownership structure and to get a sense of the market demographics for the Falls Church cottages. A. Glaeser said he would provide an overview of the Third Street Cottages in Langley, Washington for the Commission’s next meeting, and several schematics proposed by the owner of the property at the corner of Walker and Houston Streets for the following meeting.

OTHER BUSINESS

None

CITY COUNCIL REPORT -

L. Straughan announced it was National EMS Week and National Public Works Week. City Council did not have any discussion and took no action on the Echelon tax abatement request at its May 16th meeting. That matter is ongoing. Council heard from several members of the public who had comments about parking issues on Diamond Hill.

ADJOURN

The meeting was adjourned at 6:14 p.m. with unanimous approval. (M. S. Harlow / L. Straughan)

J. Eastwood, Temporary Chair, Planning Commission

MINUTES

**The Lexington Planning Commission
Thursday, June 13, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Pat Bradley, Chair
Present: John Driscoll
Jon Eastwood
Mary Stuart Harlow
Gladys Hopkins
Shannon Spencer, Vice-Chair

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

Absent: Leslie Straughan, Council Liaison

CALL TO ORDER

Chair Bradley called the meeting to order at 5:00 p.m.

AGENDA

The agenda was unanimously approved as presented. (S. Spencer / M. S. Harlow)

MINUTES

The May 23, 2024 minutes were unanimously approved as presented. (J. Driscoll / S. Spencer)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. SP 2024-02: An application by Kelly Wallace of Welsh Construction, Inc. requesting approval of a site plan for the construction of a picnic structure at EarthSong Community School, located at 227 North Lewis Street (Tax Map #25-1-1-3), owned by Catherine Lueptow.

- 1) Staff Report – This was an application for the addition of an outdoor picnic structure at EarthSong Community School at 227 N. Lewis Street. The proposal was to construct a 12' x 16' shade structure with wooden framing and a corrugated metal roof to cover the 3 picnic tables existing on the site. Additionally, at the request of the Fire Marshal, the applicant was also requesting to add the addition of a non-combustible canopy to cover the existing exterior stairs. Director Glaeser pointed out the proposed location of the shade structure and the location of the existing exterior stairs. Referring to the comments from Public Works included in the staff report, M. S. Harlow asked who would be responsible for ensuring the private sewer line would not be disturbed. A. Glaeser said the applicant, with Welsh Construction, would have Miss Utility mark the property prior to digging.

- 2) Applicant Statement – Applicant Kelly Wallace was present and available to answer any questions.
- 3) Public Comment – None
- 4) Commission Discussion & Decision – S. Spencer said she had spoken to Director Glaeser prior to the meeting about the encroachment of the proposed roof's overhang into the setback and learned it was allowed. **J. Driscoll moved to approve Site Plan number SP 2024-02 and find the submitted site plan to be in compliance with the Zoning Ordinance. M. S. Harlow seconded, and the motion passed unanimously. (6-0)**

B. PS 2024-02: An application by Randall Trout proposing a preliminary subdivision plat (boundary line adjustment) for parcels located at 438 Lime Kiln Road (Tax Map #15-1-17B) and 222 Catalpa Place (Tax Map #15-1-17), owned by Jennifer Fuller-Spears and Anita Cruze.

- 1) Staff Report – This was a request for a boundary line adjustment between parcels with the same owners. The request was to add a 0.157± acre portion at the rear of the 222 Catalpa Place lot to the rear of the lot located at 438 Lime Kiln Road. As proposed, the boundary line adjustment will meet the zoning requirements for parcels in the R-2 zoning district. The revised lot at 222 Catalpa Place will be 15,014 square feet in size, meeting the R-2 minimum lot size of 15,000 square feet. The lot frontage will remain at 69.79 feet, and while this is under the 80 feet minimum for R-2 zoned lots, the parcel is considered to be a legal nonconforming lot as it existed prior to the zoning regulations.
- 2) Applicant Statement – Applicant and surveyor, Randall Trout, 1366 Forge Road, explained the adjustment was a small one – about 96 feet – and better suited the existing condition of the two properties. He confirmed both properties had the same owners.
- 3) Public Comment – Claudette Artwick, 145 Colonnade Ave., questioned whether the boundary line adjustment was being requested in anticipation of new construction and whether the additional lot size at 438 Lime Kiln Road would make it possible to subdivide the lot in the future. The property owners, Anita Cruze and Jennifer Fuller-Spears, responded to Ms. Artwick's inquiry saying they had no intention of building on either property. A. Glaeser said the lot would be very difficult to subdivide under current zoning regulations.
- 4) Commission Discussion & Decision – **S. Spencer moved to approve Preliminary Subdivision Application PS 2024-02 for the adjustment of boundary lines between 438 Lime Kiln Road (Tax Map # 17-1-17B) and 222 Catalpa Place (Tax Map # 17-1-17), in accordance with the Boundary Line Adjustment Survey for Marcella D. Fuller completed by Trout Land Surveying, as submitted by the applicant. G. Hopkins seconded, and the motion passed unanimously. (6-0)**

C. CUP 2024-02: An application by Rhianna Schlieff of Blue Ridge Outdoor School for approval of a Conditional Use Permit allowing a portion of the building located at 123 W. Washington Street (TM #16-3-C) and owned by Grace Episcopal Church to be used as a day care center.

- 1) Staff Report – This was an application for a conditional use permit to allow a *Day Care Center* to operate in the lower level of the western portion of Grace Episcopal Church at

123 W. Washington Street, located in the R-1 zoning district. A. Glaeser clarified the proposed location within the church and pointed out the church's horseshoe shaped drive and limited parking that could be used during pick-up and drop-off. He underscored that the request was for no more than 13 students with 2 adult staff and noted the church had housed a significantly larger preschool in the past. He said staff recommended the proposal be approved with the following conditions:

1. The proposed day car center shall be occupied and used by a maximum of 13 students, ages 3 – 6, at any one time; however, in no case shall the number of students be allowed to exceed the maximum occupancy, or limits established by all applicable state and local building codes.
2. The day care center shall operate primarily between 9 a.m. and 3 p.m. with only occasional activities outside of those hours.
3. The building will at all times be used in full conformance with the current, adopted Virginia Unified Statewide Building Code and the current, adopted Virginia Statewide Fire Protection Code.
4. No change in the design or use of the building shall be undertaken unless such change is in full compliance with the above-referenced building and fire codes.

Responding to questions from M. S. Harlow, A. Glaeser clarified that the maximum number of students had been based on the applicant's request and not on the size of the space being utilized, which could accommodate a larger number. He said the space had been reviewed by the Fire Marshal who would conduct annual inspections of the day care center. He added the day care center would also have to adhere to the regulations of all other applicable State regulatory agencies.

- 2) Applicant Statement – Representatives of Blue Ridge Outdoor School were present and available to answer questions.
- 3) Public Comment – A. Glaeser offered an email message in support of the application from Tuck Bowerfind, Rector of Grace Episcopal Church.
- 4) Commission Discussion & Decision – J. Driscoll commented that his biggest concern would be for fire safety and that issue appeared to have been addressed. **G. Hopkins moved to approve Conditional Use Permit number CUP 2024-03 for a day care center at 123 W. Washington Street as proposed by the applicant and with the staff recommended conditions. S. Spencer seconded, and the motion passed unanimously. (6-0)**

D. CPA 2024-01: An application by the City of Lexington requesting amendments to the Comprehensive Plan Opportunity Area, Future Land Use, Commercial Center and Traditional Neighborhood maps to correct the designations for eight properties located along the southeast end of Maple Lane.

- 1) Staff Report – This was a request to a) amend the future land use map to change the future land use designation for eight parcels along Maple Lane from the *Commercial Center* designation to the *Traditional Neighborhood* designation, and to b) amend the Opportunity Area map to remove those same eight parcels along Maple Lane from Opportunity Area #5. The parcels in question were: 5 Maple Lane (TM # 28-13-3), 7 Maple Lane (TM # 28-14-13), 9 Maple Lane (TM # 28-14-14), 11 Maple Lane (TM # 28-14-15), 13 Maple Lane (TM # 28-14-16), 15 Maple Lane (TM # 28-14-17), 17 Maple Lane (TM # 29-17-18), and

19 Maple Lane (TM # 29-17-19). It was recently discovered that these eight parcels containing single family residences were included in the future land use map with the *Commercial Center* and *Opportunity Area* designations. Both of these designations encourage and allow an intensity of commercial development that is inappropriate for the stable residential neighborhood along Maple Lane. Staff recommended removing the subject parcels from the *Opportunity Area* and applying the *Traditional Neighborhood* future land use designation to them so that they carry the same future land use designation as the other parcels on Maple Lane.

2) Public Comment –

Keri Gould, 20 Maple Lane, supported the action sought in the application but voiced concern on behalf of the neighborhood for the vacant parcel between the Maple Lane properties and two commercial properties on S. Main Street. She said the vacant parcel provides a buffer between the Maple Lane residences and the commercial uses on S. Main Street and she and her neighbors would like it to also be redesignated from *Commercial Center/Opportunity Area* to *Traditional Neighborhood*.

Dean Knick, 5 Maple Lane, asked to have the relevance of the Comprehensive Plan explained. Director Glaeser responded, saying the Comprehensive Plan outlines the City's long range land use plans. When a rezoning or conditional use permit request is considered, a parcel's future land use designation can inform whether such a request would be appropriate or not for that parcel. He added that while the subject parcels carry the *Commercial Center* future land use designation, they are currently zoned residential and would have to be rezoned before a commercial use could be allowed on them.

Kay Berry, 14 Maple Lane, asked if any of the Planning Commissioners had visited the property. She also voiced concern for the vacant parcel mentioned by Ms. Gould.

3) Commission Discussion – P. Bradley summarized by saying the request was intended to correct an error on the map with respect to the eight parcels on Maple Lane which were never intended to be given any sort of commercial designation. Addressing the concern voiced during the public hearing about the potential for future commercial development adjacent to the subject parcels, he suggested the Commission give some thought as to what the intent for that area was when the map was being developed. He also pointed out that were commercial development to occur there, it would be subject to the regular public hearing process and would be required to abide by all of the zoning regulations (setbacks, buffering, etc.) meant to lessen the impact of commercial development when adjacent to residentially zoned property. M. S. Harlow underscored that the vacant lot was zoned R-1 and could only be commercially developed if rezoned – a request that would require public hearings and City approval. She said she hoped that would assuage some of the neighbors' concerns. At S. Spencer's request, A. Glaeser recited the lot requirements and buffering requirements for a C-2 zoned property when abutting a residential district. S. Spencer then asked what sort of precedence there was for splitting a parcel between two designations. A. Glaeser responded that while it was not a common practice, there was precedent. He offered the Hub building on S. Main Street as an example, explaining that, until recently, one half of that building and parcel was zoned residential and the other half was zoned commercial.

4) Public Comment – P. Bradley reopened the public comment to take a comment from:

Leslie Tucker, 7 Maple Lane, asked the Commission to consider whether designating the vacant parcel as an Opportunity Area was an invitation for a big change to the character of the neighborhood. She said she and her neighbors wanted the neighborhood to maintain its residential character.

- 5) Continued Commission Discussion & Decision – P. Bradley said the intent of amending the designations of the eight parcels was, in fact, to preserve the single family residences on Maple Lane. However he added they are already in close proximity to commercial properties in an area that has been recognized as having potential for development. He suggested that the Commission address correcting the designations for the eight Maple Lane parcels and approach any consideration of amending the designations for adjacent parcels separately and thoughtfully. J. Driscoll argued for using the current zoning map as a guide in determining future land use designations, saying he did not see the logic in extending the *Commercial Center* designation to properties currently zoned R-1. S. Spencer agreed and suggested any reexamination of future land use designations include the parcels to the east of Maple Lane and currently zoned R-M. Following additional discussion, including questions about the process whereby further amendments to the future land use designations can be initiated, **S. Spencer moved to approve Comprehensive Plan Amendment application CPA 2024-01 for the amendment of Tax Map Numbers 28-13-3, 28-14-13, 28-14-14, 28-14-15, 28-14-16, 28-14-17, 29-17-18, and 28-17-19 to the *Traditional Neighborhood* future land use designation, and for the removal of these same tax parcels from the *Opportunity Area* designation. J. Eastwood provided the second, and the motion passed unanimously. (6-0)** Then, by consensus, the Commission directed the Planning Director to investigate the manner by which a reexamination of the future land use designations for the properties adjacent to the subject parcels and about which concerns were raised during the meeting could be initiated.

E. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report – Director Glaeser presented an overview of the Third Street Cottages development in Langley, Washington along with a review of the accompanying cottage housing zoning code adopted by Langley in 1995 and modified thereafter. He encouraged the Commission to pay particular attention to Langley’s standards for things such as minimum lot area, density, cottage size, height, yards, open space and parking. He noted that cottage developments in Langley are subject to design review by a Design Advisory Board whose recommendation is guided by established design standards, similar to the design guidelines that inform the decisions of Lexington’s Architectural Review Board. In response to a question raised during an earlier Commission discussion, he also provided a reference to Ross Chapin’s website that addressed the development’s success and typical homeowners.
- 2) Public Comment – None
- 3) Commission Discussion – S. Spencer speculated that the size limits in the Langley code may have been intended to ensure that the cottages were primarily occupied by single people, thereby limiting the number of cars and reducing parking requirements. J. Eastwood also speculated about the size limits suggesting they may have been developed to provide variation among the units and to avoid a “cookie cutter” effect. Responding to a question from M. S. Harlow, A. Glaeser explained that the Lexington code no longer

included a residential PUD. He said a new residential PUD could be developed, if desired, but recommended that it be separate from the standards developed for cottage housing. There was discussion about the vacant property at the corner of Houston and Walker Streets which would be the focus of discussion at the July 11th meeting. A. Glaeser said that if the eventual ordinance followed the typical practice of doubling density, it appeared as though that property could accommodate a cottage development with 8 units. He added that current zoning in the R-1 zoning district also allows doubling density by means of duplexes or ADUs and suggested the Commission may wish to incentivize one development type over another.

OTHER BUSINESS

- A. Green Infrastructure Status Report – J. Driscoll, interim Coordinator of the Lexington Healthy Green Neighborhoods Coalition, shared a power point presentation of the Coalition’s Interim Report. He noted the partners involved in the coalition, provided a brief history of its origin, and highlighted its activities from September 2023 to May 2024 which included tree planting and improvements to Woods Creek Trail. He indicated the coalition’s focus moving forward would be in support of active citizens, tree planting, stormwater management, sustainability and renewable energy, and wildlife.
- B. Zoning and Planning Report – None
- C. Key Annual PC Milestones
 - 1) Zoning Text Amendments – Director Glaeser announced that the first CUP application for a detached ADU in an existing structure had recently been submitted and would be on the agenda for the June 27th meeting.

CITY COUNCIL REPORT -

- L. Straughan was on vacation and did not prepare a City Council report.

ADJOURN

The meeting was adjourned at 7:09 p.m. with unanimous approval. (P. Bradley / M. S. Harlow)

P. Bradley, Chair, Planning Commission

MINUTES

**The Lexington Planning Commission
Thursday, June 27, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Jon Eastwood, Temporary Chair
Present: Mary Stuart Harlow
Gladys Hopkins
Leslie Straughan, Council Liaison

Absent: Pat Bradley, Chair
John Driscoll
Shannon Spencer, Vice-Chair

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

Director Glaeser called the meeting to order at 5:01 p.m.

ELECTION OF TEMPORARY CHAIR

- 1) Nominations & Vote – **L. Straughan nominated Jon Eastwood to serve as Temporary Chair and M. S. Harlow seconded. The motion passed unanimously. (4-0)**

AGENDA

The agenda was unanimously approved as presented. (L. Straughan / G. Hopkins)

MINUTES

The June 13, 2024 minutes were unanimously approved as presented. (G. Hopkins / M. S. Harlow)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. CUP 2024-04: An application by Tori and Joey Bates, owners of 313 S. Jefferson Street (TM #23-1-23), for approval of a Conditional Use Permit to convert a portion of their existing detached garage to an accessory dwelling unit (to be addressed 103 White Street).

- 1) Staff Report – This was a request by the owners of 313 S. Jefferson Street to convert a portion of their existing detached garage into an accessory dwelling unit. While the primary residence faces S. Jefferson Street, the two-car garage fronts on White Street, and the entrance to the proposed dwelling unit is on the lower right side at the rear of the structure. The building was designed such that the living space at the rear was able to be stacked as a two-story space while the garage at the front is single story. Director Glaeser reminded the Commission that the newly adopted standards for ADUs require a conditional use permit for an ADU in a detached structure. Noting that this was the first

such application to be considered, he pointed to his notes in the staff report which addressed each of the pertinent standards individually. He highlighted the fact that, with three off-street parking spaces in addition to the garage parking, the proposal exceeded the parking requirements. He said the applicants' intent was to move their existing short term rental registration into the garage unit and were fully aware of the additional short term rental requirements they would have to abide by. In response to a question from L. Straughan about how the height of the building was measured, he explained the code required height to be measured from a building's entrance. In this case, measuring from the entrance to the living space at the rear of the building to the tallest point on the roof, the building's height was 24 feet. L. Straughan pointed out that if the entrance to the garage had been considered to be the building entrance, the building height would have been determined to be less than 20 feet. In either case, the building was below the 25 foot maximum height limit for a detached ADU. A. Glaeser explained that while that was the case, because the subject building was approved and permitted prior to February 1, 2024, it qualified as a nonconforming structure and was therefore required to meet the requirements of §420-11.1.E.8., rather than those for new ADUs. He confirmed the proposed detached ADU complied with those requirements and said he believed its impact on adjacent properties would be minimal, given its very small size and the specific additional standards for short term rentals in ADUs. He provided the Commissioners with a floorplan of the building and an explanation of the apartment layout. He recommended approval of the application with the following conditions:

1. The size of the detached ADU shall not be increased unless permitted by a revised conditional use permit.
 2. The use of the detached ADU for short term rental shall be subject to both the general standards for short term rentals in Sec. 420-11.3.22 and the specific standards for short term rentals in detached ADUs in Sec. 420-11.1.1.C.10.
- 2) Applicant Statement – Applicant and property owner, Tori Bates responded to a concern voiced by G. Hopkins about available parking along White Street. She confirmed the parking pad in front of the garage had room for three parked cars and that those spots were in addition to the parking available for 2+ cars inside the garage.
- 3) Public Comment – Arthur Bartenstein of 614 Stonewall Street and owner of 104 White Street, the property directly across the street from the Bates' garage, said he had no concerns about the application. He said he did not foresee the ADU having a negative impact on parking and noted there was generally on-street parking available on the block. He added that, as a member of the Architectural Review Board, he felt the applicants had done a very nice job of adjusting their plans to suit the ARB's design preferences.
- 4) Commission Discussion & Decision – G. Hopkins indicated her only concern had been about parking which she now felt was adequately addressed. M. S. Harlow asked which nearby property owners had received notice of the application in the mail. A. Glaeser said notices were mailed to the owners of the properties immediately adjacent to, or directly across the street from the Bates' property. He added that the notice was also posted on the property and advertised in the News Gazette. Citing the Commission's intent when drafting the ordinance to allow ADUs as being a concern for increasing options for the city's overall long-term housing stock as opposed to short term rentals, Commissioner Harlow voiced a reluctance to make a recommendation on the application

without the input of the full Commission. L. Straughan said she believed adequate safeguards had been built into the ordinance to protect against an oversaturation of short term rentals. A. Glaeser suggested the city could, after approving several ADUs, undertake a reassessment of the ordinance and amend specific provisions if necessary. **L. Straughan moved to approve Conditional Use Permit number CUP 2024-04 with the two (2) staff recommended conditions. J. Eastwood provided the second and the motion carried. (3-1)**

AYES: J. Eastwood, G. Hopkins, L. Straughan

NAYS: M. S. Harlow

B. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

1) Staff Report –

A. Glaeser provided an overview of the cottage housing proposals submitted by Max Ivankov for his properties at the corner of Houston and Walker Streets. He noted that the approximately 0.7 acre property was comprised of 2 parcels in the R-1 zoning district and led the Commission through the various concept proposals submitted for the property. He pointed to the rendering of the Concept A plan showing the development in context with the neighborhood and noted the individual units, while more densely sited on the parcel, were in fact not markedly smaller than a number of existing nearby dwellings.

Max Ivankov came to the lectern to answer questions and provide additional details. He said each unit would have a footprint of approximately 18' x 30' and would include a loft. He indicated he also hoped to include under house storage for each unit if feasible. When asked about possible price points for the proposed units, he said the proposal was still highly conceptual, but affordability was the focus.

Addressing the overall dimensions of the two lots and R-1 lot requirements, A. Glaeser noted the property could be subdivided into 4 parcels. He remarked that existing zoning already allows doubling density in the R-1 by means of either an ADU or a duplex and suggested care would need to be taken when determining density for cottage developments and whether to incentivize them. When asked by L. Straughan to comment on the concepts submitted by Mr. Ivankov, A. Glaeser observed that the parking did not appear to be fully corralled as is typically required in this type of development. He said the Commission would have to consider whether the parking shown along Walker Street could be counted toward the overall parking requirement. He also pointed out the different approaches to the orientation and treatment of the common space and suggested considering whether the common space ought to be oriented internally, for the exclusive use of the cottage residents, or if positioning the common space in a more public manner, facing the street, was also acceptable. Other items to consider were whether duplex style units would be acceptable and whether a common building would be considered an amenity or a requirement.

Mr. Ivankov commented that the property's corner location and lengthy adjacency with public streets created the possibility for more access points and meant the traffic did not have to be confined to one point. He also remarked that he preferred a more public

facing common space as he felt it added more street appeal and greater public appreciation for the community.

- 2) Public Comment – There was no additional comment from the public.
- 3) Commission Discussion – L. Straughan asked how the city could encourage cottages as “for sale” units so as to keep them affordable. A. Glaeser said zoning was a tool that could be used to influence use but could not influence ownership. He said regulations or restrictions associated with cottage rental would have to be established by the development’s HOA. He added that he thought there was adequate justification to restrict short term rentals in cottage developments.

OTHER BUSINESS

Director Glaeser announced that Krista Anderson would be joining the Planning Commission effective August 1st. He introduced Ms. Anderson and welcomed her to the Commission.

A. Zoning and Planning Report – Director Glaeser reported the following:

- The regionwide housing study conducted by the CSPDC will be completed soon.
- A contract has been issued for the windshield survey of housing conditions. The survey should be completed by January 2025.
- The Board of Zoning Appeals met last month and denied a variance for signs at Weatherburn.
- A demolition permit was issued for the house at 114 McLaughlin Street.
- The Building Official expects a permit application from the VMI Foundation to demolish the house at 417 N. Randolph Street.
- Staff recently helped with two boundary line disputes.
- City staff has been working on enforcement related to complaints received about maintenance issues at approximately 10 separate properties.

CITY COUNCIL REPORT -

L. Straughan reported that July 5th would be the 250th anniversary of Thomas Jefferson’s purchase of Natural Bridge. Additionally, Council was no longer considering the proposed tax abatement for Echelon for the Spotswood property as it was determined to be illegal. Echelon has until April 2025 to begin construction on the Spotswood and VDOT properties.

ADJOURN

The meeting adjourned at 6:07 p.m. (L. Straughan / J. Eastwood)

J. Eastwood, Temporary Chair, Planning Commission

MINUTES

The Lexington Planning Commission
Thursday, July 11, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Shannon Spencer, Chair
Present: John Driscoll
Mary Stuart Harlow
Gladys Hopkins
Leslie Straughan, Council Liaison

Absent: Jon Eastwood, Vice-Chair
Pat Bradley

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

S. Spencer called the meeting to order at 5:05 p.m. Due to technical difficulties the meeting was not livestreamed.

AGENDA

The agenda was unanimously approved as presented. (L. Straughan / M. S. Harlow)

MINUTES

The June 27, 2024 minutes were unanimously approved as presented. (L. Straughan / G. Hopkins)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. Elect Chairperson

- 1) Nominations – Shannon Spencer was nominated to serve as Chair.
- 2) Motion & Vote – **J. Driscoll moved to elect S. Spencer as Chair. M. S. Harlow provided the second and the motion passed unanimously. (5-0)**

B. Elect Vice-Chairperson

- 1) Nominations – Jon Eastwood was nominated to serve as Vice-Chair.
- 2) Motion & Vote – **G. Hopkins moved to elect J. Eastwood as Vice-Chair. J. Driscoll provided the second and the motion passed unanimously. (5-0)**

C. ZO 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion –

Before opening the discussion of how to amend the Winchester cottage housing code to suit Lexington, A. Glaeser offered examples of how cottage housing developments are approved in several other municipalities. He noted the choice would be

whether to allow cottage housing as a by-right use with design standards, as a conditional use with design standards, or as a PUD, and he offered pros and cons for each approach. J. Driscoll commented that developers would likely appreciate predictability and flexibility. He suggested that clearly defining expectations in the code and allowing the developments as either a by-right or conditional use would ultimately make the process easier and more attractive to developers. L. Straughan said she was not opposed to allowing cottage developments by-right in the R-M zoning district, but she would prefer they be a conditional use in the R-1, R-2, and R-LC zoning districts to allow for greater control over their location. She also liked the idea of allowing for the consideration of a cottage development through the PUD process in instances where the development does not comply with the adopted design standards. S. Spencer questioned whether it would be possible to control the location of cottage developments if they were to be allowed by-right. A. Glaeser said cottages could be tied to zoning or the Comprehensive Plan and offered limiting the developments to specific zoning districts or to Opportunity Areas as examples. There was then a brief discussion of cottage housing ownership structure in other localities.

A. Glaeser asked for feedback on the sample Purpose and Intent sections included in the staff report. J. Driscoll said he liked the clarity of the text from Shoreline, WA. L. Straughan said she thought the second and third paragraphs from the Winchester, VA text were helpful in introducing a new concept. Following discussion there was general agreement to use the second and third paragraphs from Winchester as the opening to the section and to follow them with elements from the Shoreline purpose section.

A. Glaeser recommended moving on to the density section and suggested the Commission consider a minimum and maximum number of cottages per “pod”. There seemed to be consensus to set the minimum number of cottages at 4. Several Commissioners voiced support for expressing maximum cottage density as 1 cottage per a specific area of square footage.

2) Public Comment – None

OTHER BUSINESS

A. Zoning and Planning Report – Director Glaeser reported the following:

- A building permit was issued for construction of W&L’s new student health center. Up to this point, work at the site has been limited to earth work and site preparation.
- The project management team for the housing conditions survey met and a contract has been executed for the survey.
- There will be public hearings for two boundary line adjustments on the Commission's next agenda.
- City Council will hold a work session on July 18th on the Batch A annual zoning text amendments.

B. Comp Plan Review – J. Driscoll noted that 2025 would mark five-year review date for the Comprehensive Plan. He suggested the data from the regional housing study and from the city’s housing conditions assessment could provide a good entry for an in-depth review of the Housing Chapter.

CITY COUNCIL REPORT -

Because City Council did not meet on July 4th, L. Straughan had no report.

ADJOURN

The meeting adjourned at 6:00 p.m. (J. Driscoll / M. S. Harlow)

S. Spencer, Chair, Planning Commission

MINUTES

**The Lexington Planning Commission
Thursday, July 25, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Shannon Spencer, Chair
Present: Jon Eastwood, Vice-Chair
Mary Stuart Harlow
Gladys Hopkins
Leslie Straughan, Council Liaison

Absent: John Driscoll
Pat Bradley

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

S. Spencer called the meeting to order at 4:59 p.m.

AGENDA

The agenda was unanimously approved as presented. (J. Eastwood / M. S. Harlow)

MINUTES

The July 11, 2024 minutes were unanimously approved as presented. (M. S. Harlow / J. Eastwood)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. PS 2024-03: An application by Sam and Jackie Calhoun proposing a preliminary subdivision plat (boundary line adjustment) for a parcel located at 31 Chamberlain Loop (TM #39-1-1-17) in Lexington, Virginia, and an adjacent, unimproved parcel located in Rockbridge County, Virginia.

1) Staff Report –

Director Glaeser opened by explaining that, with the approval of an amendment to the Weatherburn PUD in 2020, the parcel at 31 Chamberlain Loop, as well as the parcel at 29 Chamberlain Loop to be considered in the next application, had its boundary line extended to the rear Weatherburn boundary line which sits on the boundary line between Lexington and Rockbridge County. These are the only Weatherburn parcels that extend to the Weatherburn subdivision boundary line, and the adjustment was made with a recorded 3 foot walking easement across the parcels to connect the open space on either side.

The subject application is a request to add a ± 0.206 acre portion of an unimproved tract, located in Rockbridge County and owned by Curtis and Janis Wilbur, to Lexington Tax Parcel #39-1-1-17 (31 Chamberlain Loop). The County parcel will need to be

subdivided, and because the ± 0.206 acre portion to be transferred to the Calhouns does not meet the minimum lot size for the County, it will be added to the Lexington Tax Parcel for legal purposes, however it will remain in Rockbridge County and will continue to be required to conform to Rockbridge County zoning. Staff recommended approval of the application as submitted.

A. Glaeser responded to a number of questions from Commissioners. He clarified the location of the existing walking easement across the back of the property. He reported that his counterpart for Rockbridge County, Chris Slaydon, indicated that, should the boundary adjustment be approved, it was possible that an accessory use, such as a shed, could be allowed on the portion of the parcel located in the County, but a main dwelling could not. He confirmed that in its current condition, the Rockbridge County parcel owned by the Wilburs could accommodate a main dwelling and accessory buildings as allowed by Rockbridge County zoning. He reiterated that the land located in the County would remain in the County and would continue to be governed by County zoning requirements and that it could not be legally added to or governed by the Weatherburn PUD.

- 2) Applicant Statement – Brian Kearney, attorney for the owners of all three properties subject to the preliminary plat under consideration, explained that until recently, all three property owners had been operating under the assumption that the property was, in fact, Weatherburn property. The owners of the Weatherburn properties, Mr. and Mrs. Calhoun and Ms. Trumps, simply wish to own all of the property they had believed to be their back yards, and Mr. and Mrs. Wilbur have agreed. He assured the Commission that the Weatherburn HOA was aware of the arrangement and was not opposed.
- 3) Public Comment – None
- 4) Commission Discussion & Decision – J. Eastwood said he saw this as a straightforward application, particularly given that the city could not impose restrictions on the County property and there seemed to be no additional impacts or uses. **L. Straughan moved to approve Preliminary Subdivision Application PS 2024-03 for the adjustment of boundary lines between 31 Chamberlain Loop (Tax Map #39-1-1-17) and an adjacent, unimproved parcel in Rockbridge County (Rockbridge County Tax Map #075C00A00000040), in accordance with the Plat Showing Boundary Line Adjustment for Curtis S. and Janis V. Wilbur, Sam W. & Jackie H. Calhoun, and Nancy L. Trumps, completed by Perkins & Orrison as submitted by the applicant. M. S. Harlow provided the second and the motion passed unanimously. (5-0)**

B. PS 2024-04: An application by Nancy L. Trumps proposing a preliminary subdivision plat (boundary line adjustment) for a parcel located at 29 Chamberlain Loop (TM #39-1-1-18) in Lexington, Virginia, and an adjacent, unimproved parcel located in Rockbridge County, Virginia.

- 1) Staff Report – This application was nearly identical to the previous request. The applicant was requesting a boundary line adjustment to add a ± 0.175 acre portion of the same unimproved tract located in Rockbridge County and owned by Curtis and Janis Wilbur to Lexington Tax Parcel # 39-1-1-18 (29 Chamberlain Loop). If approved, the boundary for the tax parcel will be adjusted, however the boundary between Lexington and Rockbridge County will not be affected. The ± 0.175 acre portion to be transferred

to Ms. Trumps will remain in Rockbridge County and will continue to be subject to Rockbridge County zoning.

- 2) Applicant Statement – The Commission had no additional questions from Mr. Kearney.
- 3) Public Comment – Chair Spencer read into the record an email to Planning Director Glaeser from adjacent property owner Steve McAllister of 3 Ringneck Road in Rockbridge County. Mr. McAllister’s email is attached as Appendix A.
- 4) Commission Discussion and Decision – At S. Spencer’s request, A. Glaeser confirmed the city does not and would not have zoning authority over the property located in the County. **L. Straughan moved to approve Preliminary Subdivision Application PS 2024-04 for the adjustment of boundary lines between 29 Chamberlain Loop (Tax Map #39-1-1-18) and an adjacent, unimproved parcel in Rockbridge County (Rockbridge County Tax Map #075C00A00000040), in accordance with the Plat Showing Boundary Line Adjustment for Curtis S. and Janis V. Wilbur, Sam W. & Jackie H. Calhoun, and Nancy L. Trumps, completed by Perkins & Orrison as submitted by the applicant. J. Eastwood provided the second and the motion passed unanimously. (5-0)**

C. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion –

Picking up the discussion with the Density, Number of Cottage Housing Units and Minimum Lot Area section, there was general agreement to set the minimum number of cottages per development at 4 and the maximum number at 12 as placeholders for the time being. There was also consensus to add the R-M zoning district to the table and to consider allowing as many as 18 cottages per development in that district. L. Straughan pointed to several R-M zoned parcels along Waddell Street as having the potential to accommodate a larger sized cottage development without overwhelming the neighborhood. She suggested setting the maximum cottage density in the R-M zoning district at slightly less than the 2,400 square feet per unit required for townhouses. A. Glaeser explained how staff had come up with the entries for maximum cottage density shown in the table and asked that the Commission consider whether they were appropriate. S. Spencer said she thought a density case study of an actual Lexington property would aid the discussion by helping Commissioners to visualize what was being considered. A. Glaeser said staff would create a table for the lots owned by Max Ivankov at the corner of Walker and Houston Streets showing the number of cottage units possible for a range of densities. L. Straughan requested that the drawing of the proposed development on Thornhill Road also be provided again as a visual aid.

During discussion of minimum lot size for cottage developments, Commissioners Straughan and Spencer expressed some hesitation about considering a minimum lot size of as little as 16, 000 square feet in the R-1 zoning district. S. Spencer remarked that cottage development should be incentivized, but should not be allowed to overwhelm the neighborhood. She suggested increasing the minimum lot size for a 5 cottage development in the R-1 district to 24,000 square feet – a figure she reached by doubling the minimum lot size for a two-family dwelling in the district. J. Eastwood responded by saying that while he saw the point she was making, he was not fully persuaded the

change was necessary. Given that the goal was to increase density, he said he would prefer having a better understanding of what could be accomplished on a smaller lot from a landscape architecture and community design perspective before determining a larger lot was needed. A. Glaeser acknowledged it was important to get the density component right and encouraged the Commissioners to contact staff to request any additional information that might aid them reach a decision with confidence. S. Spencer requested additional information be added to the draft density table to reflect current minimum lot size data and how many units could be built on said lot under existing zoning.

A. Glaeser introduced the Existing Nonconforming Structures and Accessory Two-Family Dwelling Units section by saying it was similar in nature to the section in the ADU ordinance that governed existing nonconforming buildings. Of the three samples included in the staff report, he recommended the language from Winchester, as it covered more potential nonconformities and how they should be handled. J. Eastwood noted the first sentence of the second paragraph in the Winchester text did not actually address nonconformities. He suggested moving it to the end of the paragraph and ensuring that a restriction against new ADUs also be stated in a more appropriate section within the text. There was general agreement to use the language from the Winchester code with that change.

A. Glaeser noted the varied ways of expressing Building Height found in the examples included in the staff report. He said that whatever example the Commission chose as a model for Lexington's language, he recommended that an overall maximum height be included. S. Spencer indicated she found the Port Townsend, WA language made the most sense if the objective was a shorter building with a reasonably pitched roof. L. Straughan asked if two-story units were out of the question and suggested the Commission consider whether to measure cottage size by footprint or overall area. She said she would be comfortable with an overall maximum height of 25 feet if the standards require a second floor to have a lesser area than the first floor. A. Glaeser requested the Commission consider whether flat roofs would be acceptable, or whether a pitch of some sort would be required. J. Eastwood encouraged the Commission to keep the need for flexibility in mind as it develops design standards. There seemed to be interest in requiring some degree of roof pitch. Following discussion about the potential pros and cons of limiting units to 1 story plus a loft, 1 ½ stories or 2 stories, what differentiates a 1 ½ story structure from a 2 story structure, and whether to require a consistency in height and style across a development, there was general agreement to allow units of up to two stories and with a maximum height of 25 feet.

2) Public Comment – None

OTHER BUSINESS

A. Zoning and Planning Report – Director Glaeser reported the following:

- The kickoff meeting for the housing conditions windshield survey was held last week with the chosen consultants, Summit Design & Engineering. The consultants will spend two months gathering data and will conduct the survey in the following month.
- AECOM is designing three projects in Jordans Point Park: 1) a picnic area, 2) an overlook area, and 3) a gravel service road and additional parking.

- The results of the CSPDC’s regional housing study are expected imminently.

CITY COUNCIL REPORT – Council Member L. Straughan reported the following:

Director Glaeser led a work session on July 18th to provide Council with background on the Batch A annual zoning text amendments recommended by the Planning Commission. The only change made to the amendments by Council was to add Richardson Park to the list of parks to be considered as a by-right location for mobile restaurants. During the regular meeting, Council held several public hearings on land use items and approved the CUP for the day care center at Grace Episcopal Church, the boundary line adjustments on Lime Kiln Road and Catalpa Place, and the CUP for the detached ADU on White Street. Council also approved the Comprehensive Plan amendment to change the designations for the Maple Lane properties and will hold a future work session concerning the designations for the vacant parcel between the residential Maple Lane properties and the commercial properties on S. Main Street.

ADJOURN

Chair Spencer acknowledged the end of Planning Commissioner Hopkin’s term and thanked her for her service. The meeting adjourned at 6:26 p.m. (G. Hopkins / J. Eastwood)

S. Spencer, Chair, Planning Commission

MINUTES

The Lexington Planning Commission
Thursday, August 8, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Shannon Spencer, Chair
Present: Krista Anderson
John Driscoll
Jon Eastwood, Vice-Chair
Mary Stuart Harlow
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

S. Spencer called the meeting to order at 4:59 p.m.

AGENDA

The agenda was unanimously approved as presented. (L. Straughan / J. Eastwood)

MINUTES

The July 25, 2024 minutes were unanimously approved as presented. (J. Eastwood / M. S. Harlow)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. EC COA 2024-05: An application by Steve Schroeder for approval of a Certificate of Appropriateness for new signage for Taqueria Jalisco at 453 E. Nelson Street (TM #30-1-9), owned by Andorra Properties, LLC.

- 1) Staff Report – This request was for a wall sign, a window sign and a door sign for the new business at 453 E. Nelson Street in the Rockbridge Square Shopping Center, located in the C-2 Entrance Corridor. The proposal was for a new 90” x 30” x .063” aluminum wall sign with text and graphics in red, orange, yellow and black on a white background. It would be mounted to the brick façade, centered in the gray stripe above the business storefront, similar to the Pack&Mail sign which has the same dimensions. The proposal also included a 15.3” x 20.8” illuminated “Open” window sign, to be hung from the interior of the storefront window, and a 17” x 12 ½” vinyl door sign with red, green and white text and graphics to be applied directly to the entry glass. Additional sign details were included in the application materials. Director Glaeser highlighted the applicable Entrance Corridor sign standards, noted that the subject parcel has no overall sign plan to which the proposed signs could be expected to conform, and reported staff found the proposal met the zoning criteria. He explained that the photographs included in the staff report were not mock-ups, but rather they were of the actual signs which had been installed due to a misunderstanding on the part of the business owner. The business

owner mistakenly understood the receipt for the sign permit application fee to have been documentation of the signs' approval and had directed Mr. Schroeder, the applicant and contractor, to install the signs. Responding to questions from Commissioners Driscoll and Spencer, A. Glaeser confirmed that the downlights above the wall sign were existing and that internally illuminated signs are allowed in the C-2 zoning district with no separate restrictions as to their dimensions.

- 2) Applicant Statement – Applicant and contractor Steve Schroeder of Vinton, Virginia, apologized for the miscommunication with his client and assured the Commission that it had not been his intent to disrespect City protocol.
- 3) Public Comment – None
- 4) Commission Discussion & Decision – J. Driscoll remarked that while the Entrance Corridor sign criteria are fairly loose, he believed the request fit its surroundings. **J. Driscoll moved to approve the Entrance Corridor Certificate of Appropriateness application EC COA 2024-05 for a new wall sign, illuminated window sign and door sign for the Taqueria Jalisco business at 453 East Nelson Street as proposed by the applicant. L. Straughan provided the second and the motion passed unanimously. (6-0)**

B. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

- 1) Staff Report & Commission Discussion –

Director Glaeser began the discussion by returning to the Density, Number of Cottage Housing Units and Minimum Lot Area table and encouraged the Commission to focus on place holders for maximum cottage density, a formula for how it would be determined, and minimum lot size. He then led the Commission through the supplement to the staff report which contained visual representations of the existing Railroad Cottages in Falls Church, VA, Third Street Cottages in Langley, WA, and hypothetical cottage developments on sites in Lexington, as well as a breakdown of various density metrics specific to each. He noted the calculations for the Third Street Cottages seemed to support the possibility that a minimum lot size of 16,000 sf could accommodate a development of four cottages - a question that had arisen during the last meeting.

During discussion concerning the concept plans submitted for the parcels at the intersection of Houston and Walker Streets, K. Anderson commented that allowing on-street parking to count toward a development's parking requirement could invite issues resulting from public use of the spaces. A. Glaeser agreed there were a number of arguments that could be made against allowing on-street parking spaces to count toward an off-street parking requirement. Responding to a question from J. Driscoll about likely parking requirements, A. Glaeser said he believed 1.25 spaces per cottage to be the average in other jurisdictions, but he added that it would be heavily dependent on cottage size, as larger cottages were likelier to require more parking than smaller cottages. The discussion also included arguments both for and against a public-facing open space as opposed to a more sequestered, internal open space.

A. Glaeser brought the discussion back to the density table and asked if the Commission was comfortable with adding place holder metrics for maximum cottage density and minimum lot size. Noting the housing shortage within the city, K. Anderson advocated

for taking a “the more, the better” approach. She asked if cottage housing was seen as only one potential answer to local housing issues. A. Glaeser offered a brief overview of the impending citywide assessment of housing conditions and said the results of the regional housing study, which were expected very soon, would help to inform future housing initiatives. J. Driscoll advised that cottage housing was only the latest zoning amendment to be undertaken having an intended goal of developing a zoning tool to increase both density and housing options within the city. He offered the adoption of the PD-MU and ADU ordinances as evidence of this on-going effort. S. Spencer spoke to other, non-governmental efforts to increase housing in Lexington and addressed issues specific to Lexington which complicate the city’s housing terrain.

Returning to the density table, L. Straughan suggested multiplying the current figures in the minimum lot size column by 1.3 in order to protect for an appropriate amount of open space and parking for the development. If applied, the minimum lot size figures would be amended to 20,800 sf (0.47 acre) in the R-1 and 39,000 sf (0.9 acre) in the R-2. She also suggested specifying this lot size would accommodate 4 cottages. She reasoned that the area currently allotted to a fifth cottage would ensure adequate parking for a 4 cottage “pod” and the additional 30% would allow for an appropriate amount of open space. She noted this would be a starting point only and would not require doubling the area for 8 cottages. J. Eastwood pointed out that this would result in more than 30% being allotted to open space, given that open space was already included in the maximum density figures. L. Straughan acknowledged that was the case, but believed it was necessary to protect the common open space as well as the semi-private open space. S. Spencer said she thought it would be helpful to first determine cottage footprint size, semi-private outdoor space area and common open space area before finalizing lot density details. She suggested focusing first on maximum cottage footprint and working out from there. J. Eastwood said the challenge was deciding which number to start with. He said he liked Commissioner Straughan’s strategy but added that the question of whether 1.3 was the correct multiplier would depend on the average size of the cottages, especially because the goal is to craft standards with enough flexibility that there are opportunities for them to be used. He suggested Commissioner Spencer’s suggestion of penciling in a maximum cottage size could help to make that determination. He remarked that he found the supplement to the staff report to be particularly helpful in that it allowed the Commission to see the effect of the text from a design perspective – which makes it easier to answer the question, “Do we want to write the rules in a way that would facilitate something similar?” M. S. Harlow suggested beginning with the 1.3 multiplier and making necessary changes after developing standards for minimum and maximum cottage footprints. Director Glaeser said the staff report would be updated to use L. Straughan’s minimum lot size formulas for the R-1 and R-2 zoning districts for now. S. Spencer requested the next meeting’s discussion begin with the Cottage Floor Area and subsequent sections of the ordinance.

2) Public Comment – None

OTHER BUSINESS

A. Commissioners Straughan and Spencer welcomed Krista Anderson to the Planning Commission and commended her for her contribution to the meeting. J. Driscoll delighted in

recounting a conversation he had had with Commissioner Anderson during which she expressed admiration for the Comprehensive Plan.

B. L. Straughan requested guidance from the City Attorney regarding conflicts of interest with respect to the CUP applications scheduled for the Commission's next meeting.

CITY COUNCIL REPORT –

Council Member L. Straughan reported that in place of a regular meeting, Council held a work session on August 1st. The work session topics were City Hall renovations and a Police grant. Council will hold a public hearing for the Batch A Zoning Text Amendments at the August 15th meeting.

ADJOURN

The meeting adjourned at 6:04 p.m. (J. Driscoll / M. S. Harlow)

S. Spencer, Chair, Planning Commission

MINUTES

The Lexington Planning Commission
Thursday, October 10, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Shannon Spencer, Chair
Present: Tori Bates (left the meeting at 5:50 p.m.)
John Driscoll (arrived 5:07 p.m.)
Mary Stuart Harlow
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

Absent: Krista Anderson
Jon Eastwood, Vice-Chair

CALL TO ORDER

S. Spencer called the meeting to order at 5:01 p.m.

AGENDA

The agenda was unanimously approved as presented. (M. S. Harlow / L. Straughan)

MINUTES

The minutes from the September 26, 2024 meeting were unanimously approved as presented. (L. Straughan / T. Bates)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

1) Staff Report & Commission Discussion –

Director Glaeser briefly reviewed the Commission's progress on the ordinance thus far. He asked if staff should pare down the staff report in the future by removing text samples for those sections of the ordinance for which language has been chosen, even if it is only as a placeholder. There was general agreement that would be helpful. He then explained the goal was to develop an ordinance that could be advertised for a public hearing, emphasizing that the text was a draft and could be amended at any time prior to adoption.

Focusing on cottage dimensions, A. Glaeser asked the Commission to consider maximum cottage size and provide feedback on the sample language included in the Cottage Floor Area section of the staff report. The consensus was to include the objective from the Winchester code, including, for now, the statement specifying that residences in cottage developments are intended for one – and two- person households. After parsing the meaning of the next sentence, there was agreement to leave the sentence in the text, but to amend it to read, "Limiting the maximum square footage of residences in cottage housing developments

is necessary to prevent overbuilding of the site and to not exceed available off-street parking.” There was considerable discussion about maximum cottage footprint and overall cottage size. A. Glaeser offered that the jurisdictions allowing cottage units up to 1,200 or 1,500 square feet were on the upper end and that most places limited cottage units to 700 – 900 square feet. L. Straughan said she would like to see a maximum footprint of at least 1,200 square feet to encourage some single story units offering greater accessibility. There was then discussion of using language, similar to Abingdon’s, that stated a maximum ground floor gross area and a 50% greater total square footage to allow for a second story. T. Bates said allowing a total square footage of over 1,200 square feet seemed overly large for a cottage unit. A. Glaeser remarked that there are many modest sized single family homes in Lexington that are that size. The Commission considered a number of formulas and size options. Ultimately there was agreement to limit the maximum gross floor area of the main level to 1,000 square feet for one-story cottages. Cottages with an upper level would be limited to a main level gross floor area of 800 square feet and an upper level of up to 50% of the gross floor area of the main level. There was also agreement to specify that the square footage for required porches would not be included in the floor area calculation. Director Glaeser said the sizes being considered were somewhat larger than he had anticipated and offered to provide sample floor plans of smaller units with first floor bedrooms for the Commission to review at the next meeting. There was consensus that that would be helpful.

During the discussion of the Yards – Building Setbacks from Exterior Lot Lines section, the Commission focused on the minimum yard requirements from Falls Church as A. Glaeser led them through how they would apply to the property at the corner of Walker and Houston Streets. The Commission reviewed one of the concept plans provided for that site as they considered setbacks, parking area and cottage size. There was agreement that the Falls Church minimum yard requirements were appropriate, though the reference to “semi-detached dwelling units” should be stricken.

Introducing the discussion of Cottage Housing Development Building Separation, A. Glaeser said the building code generally requires 10 feet of separation between two buildings, though that distance can be lessened depending on the type of construction. He suggested the ordinance could require a specific amount of separation between cottages or simply require compliance with the building code. S. Spencer said she thought the 10 feet minimum was important for privacy. L. Straughan also thought it was necessary to allow for landscaping and adequate sunlight. A. Glaeser said the private open space requirement and cottage design could also help give a sense of privacy. L. Straughan pointed out that dwelling separation in the Weatherburn subdivision is in the 10 – 12 feet range, and while close, it works and looks nice. There was agreement to use the language from Abingdon but to specify a 10 feet separation rather than 12 feet.

During discussion of the Common Open Space section, there was agreement to include the Objective sentence from Winchester, as well as the final sentence that provides a definition of “common open space.” The Commission considered the language from the Falls Church ordinance addressing community amenities such as shared community buildings. A. Glaeser pointed out that such communal buildings were not, so far, required in the draft ordinance. S. Spencer argued for including the language, as it does not treat

communal buildings as a requirement, though the inclusion of such buildings in a development would likely make smaller residences more attractive. Commissioners Spencer and Driscoll also supported including the language from Falls Church addressing sidewalks. There was consensus that a minimum of 400 square feet per cottage of common open space was appropriate, as was a requirement that at least 50% of the cottages abut a common open space and all of the cottages be within 60 feet walking distance of a common open space.

Addressing the Private Open Space standards, the Commission agreed to use the language from Winchester with minor modifications. There was also agreement to include a provision from the Shoreline, WA code specifying that required porches may be counted as private open space, largely to ensure that porches are treated consistently in the final draft. S. Spencer suggested also including Shoreline's requirements that private open space be directly contiguous to and accessed from each cottage and that it not consist of required perimeter landscaping. A. Glaeser cautioned that, unless specifically required in the ordinance, no landscaping buffer would be required between a cottage development and a single family parcel. There was general agreement to include all of the suggested provisions with the understanding that they can be deleted later if deemed unnecessary.

2) Public Comment – None

OTHER BUSINESS

A. Zoning and Planning Report – Director Glaeser reported the following:

- The City is interviewing internal candidates to complete the requisite training to become a Building Inspector and for an apprenticeship with the Building Official with an eye toward succession planning.
- Summit Design & Engineering will be in town on October 28th and 29th conducting the windshield housing assessment survey.
- City Council held a work session to discuss the proposed stormwater fee, a possible sprinkler incentive program for historic buildings downtown, and a possible program for providing home maintenance assistance to qualifying homeowners.

B. Discussion of scheduling for remaining 2024 meetings – There was general agreement to cancel the meetings scheduled for November 29th and December 26th.

CITY COUNCIL REPORT –

Council Member L. Straughan reported that Council would hold public hearings on October 17th for the Conditional Use Permits for John Adamson's properties on S. Main Street.

ADJOURN

The meeting adjourned at 7:09 p.m. (J. Driscoll / M. S. Harlow)

S. Spencer, Chair, Planning Commission

MINUTES

The Lexington Planning Commission
Thursday, October 10, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450

Planning Commission:

Presiding: Shannon Spencer, Chair
Present: Tori Bates (left the meeting at 5:50 p.m.)
John Driscoll (arrived 5:07 p.m.)
Mary Stuart Harlow
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

Absent: Krista Anderson
Jon Eastwood, Vice-Chair

CALL TO ORDER

S. Spencer called the meeting to order at 5:01 p.m.

AGENDA

The agenda was unanimously approved as presented. (M. S. Harlow / L. Straughan)

MINUTES

The minutes from the September 26, 2024 meeting were unanimously approved as presented. (L. Straughan / T. Bates)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

1) Staff Report & Commission Discussion –

Director Glaeser briefly reviewed the Commission's progress on the ordinance thus far. He asked if staff should pare down the staff report in the future by removing text samples for those sections of the ordinance for which language has been chosen, even if it is only as a placeholder. There was general agreement that would be helpful. He then explained the goal was to develop an ordinance that could be advertised for a public hearing, emphasizing that the text was a draft and could be amended at any time prior to adoption.

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is necessary to prevent overbuilding of the site and to not exceed available off-street parking.” There was considerable discussion about maximum cottage footprint and overall cottage size. A. Glaeser offered that the jurisdictions allowing cottage units up to 1,200 or 1,500 square feet were on the upper end and that most places limited cottage units to 700 – 900 square feet. L. Straughan said she would like to see a maximum footprint of at least 1,200 square feet to encourage some single story units offering greater accessibility. There was then discussion of using language, similar to Abingdon’s, that stated a maximum ground floor gross area and a 50% greater total square footage to allow for a second story. T. Bates said allowing a total square footage of over 1,200 square feet seemed overly large for a cottage unit. A. Glaeser remarked that there are many modest sized single family homes in Lexington that are that size. The Commission considered a number of formulas and size options. Ultimately there was agreement to limit the maximum gross floor area of the main level to 1,000 square feet for one-story cottages. Cottages with an upper level would be limited to a main level gross floor area of 800 square feet and an upper level of up to 50% of the gross floor area of the main level. There was also agreement to specify that the square footage for required porches would not be included in the floor area calculation. Director Glaeser said the sizes being considered were somewhat larger than he had anticipated and offered to provide sample floor plans of smaller units with first floor bedrooms for the Commission to review at the next meeting. There was consensus that that would be helpful.

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During discussion of the Common Open Space section, there was agreement to include the Objective sentence from Winchester, as well as the final sentence that provides a definition of “common open space.” The Commission considered the language from the Falls Church ordinance addressing community amenities such as shared community buildings. A. Glaeser pointed out that such communal buildings were not, so far, required in the draft ordinance. S. Spencer argued for including the language, as it does not treat

communal buildings as a requirement, though the inclusion of such buildings in a development would likely make smaller residences more attractive. Commissioners Spencer and Driscoll also supported including the language from Falls Church addressing sidewalks. There was consensus that a minimum of 400 square feet per cottage of common open space was appropriate, as was a requirement that at least 50% of the cottages abut a common open space and all of the cottages be within 60 feet walking distance of a common open space.

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2) Public Comment – None

OTHER BUSINESS

A. Zoning and Planning Report – Director Glaeser reported the following:

- The City is interviewing internal candidates to complete the requisite training to become a Building Inspector and for an apprenticeship with the Building Official with an eye toward succession planning.
- Summit Design & Engineering will be in town on October 28th and 29th conducting the windshield housing assessment survey.
- City Council held a work session to discuss the proposed stormwater fee, a possible sprinkler incentive program for historic buildings downtown, and a possible program for providing home maintenance assistance to qualifying homeowners.

B. Discussion of scheduling for remaining 2024 meetings – There was general agreement to cancel the meetings scheduled for November 29th and December 26th.

CITY COUNCIL REPORT –

Council Member L. Straughan reported that Council would hold public hearings on October 17th for the Conditional Use Permits for John Adamson's properties on S. Main Street.

ADJOURN

The meeting adjourned at 7:09 p.m. (J. Driscoll / M. S. Harlow)

S. Spencer, Chair, Planning Commission

MINUTES

**The Lexington Planning Commission
Thursday, October 24, 2024 – 5:00 p.m.
Rockbridge County Administrative Offices – First Floor Meeting Room
150 South Main Street, Lexington, VA 24450**

Planning Commission:

Presiding: Shannon Spencer, Chair
Present: Krista Anderson
Tori Bates
John Driscoll
Jon Eastwood, Vice-Chair
Mary Stuart Harlow (left the meeting at 6:45 p.m.)
Leslie Straughan, Council Liaison

City Staff:

Arne Glaeser, Planning Director
Kate Beard, Administrative Assistant

CALL TO ORDER

S. Spencer called the meeting to order at 5:00 p.m.

AGENDA

The agenda was unanimously approved as presented. (J. Eastwood / T. Bates)

MINUTES

The minutes from the October 10, 2024 meeting were unanimously approved as presented. (J. Driscoll / M. S. Harlow)

CITIZENS' COMMENTS ON MATTERS NOT ON THE AGENDA

None

NEW BUSINESS

A. RZ 2024-01: An application by the City of Lexington to rezone a 1.855 acres portion of Evergreen Cemetery owned by the City from the R-1 (General Residential) zoning district to the P-OS (Parks and Open Space) zoning district.

CUP 2024-06: An application by the City of Lexington for approval of a Conditional Use Permit to allow Cemetery use on all land associated with Evergreen Cemetery (TM #25-1-9).

- 1) Staff Report – In October 2023 the City had the good fortune to purchase the house and land at 140 Evergreen Place, the parcel adjacent to Evergreen Cemetery. The City then completed a boundary line adjustment to add 1.855 acres of the purchased property to the parcel associated with the cemetery. It was not rezoned at that time because cemetery use was allowed in the R-1 zoning district while in the P-OS zoning district it was not. However, on August 15, 2024, City Council approved an amendment to the Zoning Ordinance whereby the Cemetery use is permitted only in the P-OS zoning district and only with a conditional use permit. These applications are intended to rezone the subject

1.855 acres to the P-OS zoning district and to approve a conditional use permit to allow the entire Evergreen Cemetery parcel to continue to operate as a cemetery.

- 2) Public Comment – Edna Milliner of 407 Spotswood Drive said she had been confused by the adjacent property notice she received in the mail. She asked what the plan was for the property across Spotswood Drive from her house. Director Glaeser explained that the applications for Oak Grove Cemetery would be the next item on the agenda and requested that she wait until they were opened to provide her comments.
- 3) Commission Discussion & Decision – **J. Eastwood moved to approve Rezoning application RZ 2024-01 for the rezoning of TM #25-1-9 to rezone the 1.855 acres portion of the property, purchased by the City in January 2023, from R-1 to P-OS. J. Driscoll seconded and the motion passed unanimously. (7-0) J. Driscoll moved to approve Conditional Use Application CUP 2024-06 to allow the entire parcel associated with Evergreen Cemetery (TM #25-1-9) to operate as a cemetery. M. S. Harlow seconded and the motion passed unanimously. (7-0)**

B. RZ 2024-02: An application by the City of Lexington to rezone a 0.445 acres portion of Oak Grove Cemetery owned by the City from the R-1 (General Residential) zoning district to the P-OS (Parks and Open Space) zoning district.

CUP 2024-07: An application by the City of Lexington for approval of a Conditional Use Permit to allow Cemetery use on all land associated with Oak Grove Cemetery (TM #23-1-160 and #29-1-30).

- 1) Staff Report – In 2022, the City purchased portions of the rear yards of 14 & 16 Houston Streets and, by means of boundary line adjustment, added the 0.445 acre of land to the larger of the two parcels associated with Oak Grove Cemetery (TM #23-1-160). As with the previous applications, the subject request is to rezone the 0.445 acre from R-1 to P-OS, and to approve a conditional use permit to allow both cemetery parcels (TM #23-1-160 & TM #29-1-30) to continue to operate as a cemetery. Addressing the earlier public comment from Ms. Milliner, L. Straughan asked if the property could be used for anything other than cemetery use once it is rezoned. A. Glaeser answered that there are other permitted uses in the P-OS zoning district, but the CUP was for cemetery use only.
- 2) Public Comment – Edna Milliner of 407 Spotswood Drive said she was gratified to learn that the property under consideration was the land directly behind her house, and that it would be used for cemetery use. She then asked for clarification about the future use of the vacant parcel directly across the street from her home. A. Glaeser responded by assuring her that, as an owner of an adjacent property, she would receive notification of any public hearing for potential changes on that property and encouraged her to call or come by the Planning Department at any time to have her questions answered.
- 3) Commission Discussion & Decision – Responding to a question from M. S. Harlow, A. Glaeser confirmed the subject 0.445 acres is currently part of the larger cemetery parcel (TM #23-1-160). **K. Anderson moved to approve Rezoning application RZ 2024-02 for the rezoning of TM #23-1-160 to rezone the 0.445 acre portion of the property immediately adjacent to the rear property lines of 16 and 14 Houston Street from R-1 to P-OS, and to approve Conditional Use Permit application CUP 2024-07 to allow**

all land associated with Oak Grove Cemetery (TM #23-1-160 & TM #29-1-30) to operate as a cemetery. L. Straughan seconded and the motion passed unanimously. (7-0)

C. ZOA 2024-03: Annual Zoning Ordinance Amendments. Cottage Housing.

1) Staff Report & Commission Discussion –

A. Glaeser suggested the Commission continue with sections concerning “dimensional elements” before returning to the section addressing density. The Commission agreed and discussion began with the Off-Street Parking section of the text. The Commission reviewed off-street parking standards from several localities. L. Straughan suggested applying Lexington’s existing multi-family off-street parking requirements, which are based on number of bedrooms, to cottage developments. J. Eastwood was supportive of the idea. He also noted that the cottage floor areas developed during the last meeting worked nicely with Port Townsend’s parking ratios. S. Spencer expressed concern that tying parking to bedrooms could lead to issues with buildability. She argued that building code requirements for minimum bedroom size ought to be considered. A. Glaeser said he would provide the Commission with those code requirements at the next meeting. Ultimately there was agreement to model this section of the draft ordinance on the standards from Port Townsend, WA, but to use Lexington’s multi-family parking ratios. There was also agreement to add the language from Shoreline, WA addressing garages as a placeholder, with the understanding that it could be removed later if deemed unnecessary.

Addressing the Fire-Lane Access and Turnaround Provisions section, A. Glaeser voiced concern that the specific dimensional requirements found in the Winchester code were enormous to the point of being self-defeating. He assured the Commission that the draft ordinance would be reviewed by the Fire Marshal before its adoption to ensure adequate life-safety, and he reminded them that all site plans for all cottage housing developments would also require review by the Fire Marshal. L. Straughan’s suggestion to include the objective statement and code compliance requirement from Winchester and to delete the remainder of the section was met with support from the rest of the Commission.

A. Glaeser noted that the first three examples in the Covered Main Entry Porches section all required porches of at least 60 square feet, with a floor no less than 5 feet in length or width. He made the observation that if the Commission wished to include similar porch standards, the minimum porch dimension should not be less than 5 feet. There was agreement to use the Winchester language and diagram but to increase the minimum floor dimension to 6 feet.

Director Glaeser recommended against including the Lot Coverage Area section in the draft ordinance. He pointed out that Lexington does not currently have lot coverage standards, and suggested the required setbacks, private open space and common open space would adequately protect overall open space. There was agreement to delete this section, but to add the encouragement for use of low impact stormwater techniques

for walkways and parking areas to the Stormwater Low Impact Development Techniques portion of the ordinance.

The Commission returned to the topic of density and L. Straughan suggested simplifying the previously developed formula by simply doubling the underlying zoning district's minimum lot size for a development of 4 cottages. She argued that this would echo both the typical cottage housing objective of doubling density and it would also provide lot sizes that, according to Ross Chapin, allow for good development designs. She said that while she felt uncomfortable allowing a minimum lot size smaller than double what is allowed for a single family dwelling, she was not opposed to increasing the cottage density on that lot somewhat, maybe on a sliding scale similar to the lot area scaling in the R-M and R-LC zoning districts. Several Commissioners were supportive of the idea but there was concern about how to develop such a formula. After some consideration, there was agreement to, as a placeholder, complete the maximum cottage density column using a formula similar to Port Townsend's which expresses density as 1 unit per $\frac{1}{4}$ the minimum lot size for 4 cottages. This formula was used for the R-1 and R-2 zoning districts, and the Commission settled on maximum densities of 1 unit per 2,500 square feet in the R-LC zoning district and 1 unit per 2,000 square feet in the R-M zoning district. L. Straughan compared these numbers with the figures for the Houston Street concept plans and said she thought it was a good starting point.

A. Glaeser asked if the floorplans included in the newest version of the supplement had encouraged any of the Commissioners to reconsider the maximum ground floor gross area. The Commission agreed to reduce maximum footprints to 900 square feet for a one-story unit and 750 square feet for a unit with an upper level, again with the understanding that these numbers were placeholders that could be adjusted later in the drafting process.

Director Glaeser gave a summary of the ordinance sections that the Commission had yet to review. After some discussion, there was consensus for working toward a full first draft of the ordinance by the end of the next meeting. A. Glaeser said the cancelled November meeting would hopefully allow him time to line up an architect to review and provide feedback on the draft.

- 2) Public Comment – Edna Milliner of 407 Spotswood Drive enthusiastically stated she was impressed by the Planning Commission's work and discussion.

OTHER BUSINESS

A. Zoning and Planning Report – None

B. Comp Plan Review – A. Glaeser said he would need direction from Council as to how much of a review was desired and with what sort of budget. He anticipated housing would be a focus, given the imminent release of the regional housing study. He added that he has been asked to lead a City Council work session concerning the issue of institutional creep and suggested that could also be a topic of review depending on the direction he receives.

CITY COUNCIL REPORT –

Council Member L. Straughan reported that at the October 17th meeting, Council had heard from a Downtown Parking Committee made up of business owners. She said the committee’s concern had not been that there is not enough parking, but that parking enforcement needs to be improved. Council also held public hearings for the conditional use permits for John Adamson’s buildings on Main Street. The CUP for the old Courthouse at 2 S. Main Street passed unanimously and the CUP for the Rockbridge Building passed 4-3.

ADJOURN

The meeting adjourned at 6:49 p.m. (K. Anderson / T. Bates)

S. Spencer, Chair, Planning Commission